

Yale Fishman 1998 Insurance Insurance Trust

Glenn Fishman Trustee
930 Broadway
Woodmere, NY 11598

Clerk of the United States Bankruptcy Court for
The Southern District of New York
One Bowling Green
New York, NY 10004

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, NY 10111

JAN - 8 2010

RE: Bankruptcy Case No. 08-1789(BRL)
Claim # 012416

To Whom It May Concern:

I recently received your notice of determination stating that my claim was denied on the grounds that Glenn Fishman Insurance Trust was not a customer of BLMIS under SIPA (see attached for Notice of Trustee's Determination of Claim).

We object to Bankruptcy Judge Burton R. Lifland's determination on the following grounds:

1. The Trust should be treated as a "customer" under the Securities Investor Protection Act.
2. The Trust should be treated as a "customer" if any statute, administrative regulation, SIPC decision or policy, or any court decision or order finds or determines that persons similarly situated to me are "customers" under SIPA, and I reserve the right to amend or supplement this objection in any such event.
3. To the extent Tremont, Met Life or AGL Life has not filed a claim or has not prosecuted such claim, I should have all rights to make a derivative claim on behalf of Tremont, Met Life or AGL Life for my investment and should be subrogated to and stand in the place of Tremont, Met Life or AGL Life. We have the right to amend or supplement my objection and also incorporate by reference all rights and matters asserted in my filed claim.

Therefore, I am requesting a hearing date.

Sincerely,
Glenn Fishman, Trustee



BERNARD L. MADOFF INVESTMENT SECURITIES LLC

In Liquidation
DECEMBER 11, 2008¹

NOTICE OF TRUSTEE'S DETERMINATION OF CLAIM

December 8, 2009

Yale M. Fishman 1998 Insurance Trust, Glenn Fishman Trustee
930 Broadway
Woodmere, NY 11598

Dear Yale M. Fishman 1998 Insurance Trust, Glenn Fishman Trustee:

PLEASE READ THIS NOTICE CAREFULLY.

The liquidation of the business of BERNARD L. MADOFF INVESTMENT SECURITIES LLC ("BLMIS") is being conducted by Irving H. Picard, Trustee under the Securities Investor Protection Act, 15 U.S.C. § 78aaa et seq. ("SIPA"), pursuant to an order entered on December 15, 2008 by the United States District Court for the Southern District of New York.

The Trustee has made the following determination regarding your claim designated as Claim No. 012416:

Based on a review of available books and records of BLMIS by the Trustee's staff, you did not have an account with BLMIS. Because you did not have an account, you are not a customer of BLMIS under SIPA as that term is defined at 15 U.S.C. § 78fff (2). Accordingly, your Claim for securities and/or a credit balance is **DENIED**.

PLEASE TAKE NOTICE: If you disagree with this determination and desire a hearing before Bankruptcy Judge Burton R. Lifland, you **MUST** file your written opposition, setting forth the grounds for your disagreement, referencing Bankruptcy Case No. 08-1789 (BRL) and attaching copies of any documents in support of your position, with the United States Bankruptcy Court **and** the Trustee within **THIRTY DAYS** after December 8, 2009, the date on which the Trustee mailed this notice.

¹ Section 78fff(7)(B) of SIPA states that the filing date is "the date on which an application for a protective decree is filed under 78eee(a)(3)," except where the debtor is the subject of a proceeding pending before a United States court "in which a receiver, trustee, or liquidator for such debtor has been appointed and such proceeding was commenced before the date on which such application was filed, the term 'filing date' means the date on which such proceeding was commenced." Section 78fff(7)(B). Thus, even though the Application for a protective decree was filed on December 15, 2008, the Filing Date in this action is on December 11, 2008.

PLEASE TAKE FURTHER NOTICE: If you do not properly and timely file a written opposition, the Trustee's determination with respect to your claim will be deemed confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: If you properly and timely file a written opposition, a hearing date for this controversy will be obtained by the Trustee and you will be notified of that hearing date. Your failure to appear personally or through counsel at such hearing will result in the Trustee's determination with respect to your claim being confirmed by the Court and binding on you.

PLEASE TAKE FURTHER NOTICE: You must mail your opposition, if any, in accordance with the above procedure, to each of the following addresses:

Clerk of the United States Bankruptcy Court for
the Southern District of New York
One Bowling Green
New York, New York 10004

and

Irving H. Picard, Trustee
c/o Baker & Hostetler LLP
Attn: Claims Department
45 Rockefeller Plaza
New York, New York 10111

A handwritten signature in black ink, reading "Irving H. Picard". The signature is fluid and cursive, with the first name "Irving" and last name "Picard" clearly legible.

Irving H. Picard

Trustee for the Liquidation of the Business of
Bernard L. Madoff Investment Securities LLC